

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WISCONSIN

DANA MORSE,

Petitioner,

v.

MICHELE KRUEGER, Probation & Parole Agent,

Respondent.

ORDER

08-cv-632-bbc

Petitioner Dana Morse, a prisoner at the Maine Correctional Center in Windham, Maine, has submitted a proposed complaint. Because he has not paid the \$350 filing fee, I conclude that he is requesting leave to proceed in forma pauperis. A decision on the request will be delayed until petitioner pays an initial partial payment of the filing fee as required by 28 U.S.C. § 1915(b) and the 1996 Prison Litigation Reform Act. Petitioner's initial partial payment cannot be calculated at this time because he has not submitted a trust fund account statement with his complaint.

Petitioner's complaint was submitted on October 20, 2008. His trust fund account statement should cover the period beginning approximately April 21, 2008 and ending approximately October 20, 2008. Once petitioner has submitted the necessary statement,

I will calculate his initial partial payment and advise him of the amount he will have to pay before the court can screen the merits of his complaint under 28 U.S.C. § 1915(e)(2).

ORDER

IT IS ORDERED that petitioner may have until November 21, 2008, in which to submit a trust fund account statement for the period beginning approximately April 21, 2008 and ending approximately October 20, 2008. If, by November 21, 2008, petitioner fails to respond to this order, I will assume that he wishes to withdraw this action voluntarily and, in that case, the clerk of court is directed to close this file without prejudice to petitioner's filing his case at a later date.

Entered this 31st day of October, 2008.

BY THE COURT:

/s/

BARBARA B. CRABB
District Judge